

REMARKS

Claims 1, 4, 6, 8, 9 and 10 were pending and under consideration in the above-identified application. Claims 2, 3, 5 and 7 were previously cancelled and remain cancelled.

In the office action of August 18, 2008, claims 1, 4, 6, 8, 9 and 10 were rejected.

With this Amendment, claims 1, 4, and 6 are amended.

I. Objection To Claims

The claims were objected to for various informalities.

Applicants have amended the claims taking into consideration the Examiner's suggestions.

II. 35 U.S.C. § 102 Anticipation Rejection

Claims 1, 4 and 6 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Tanabe et al.* (U.S. Pat. No. 6,870,328) ("*Tanabe*").

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Tanabe*.

Applicant respectfully traverses both of these rejections.

In relevant part, each of the independent claims 1, 4 and 6 recite a resistor connected in parallel with the switching device for pulse width modulation where the resistor is coupled to a pulse width modulating constant current driving circuit via a transistor such that current for maintaining the on state of a turned on thyristor flows through the resistor when the transistor is off.

This is clearly unlike, *Tanabe* which fails to disclose a resistor connected in parallel with the switching device for pulse width modulation where the resistor is coupled to a pulse width modulating constant current driving circuit via a transistor such that current for maintaining the on state of a turned on thyristor flows through the resistor when the resistor is off. Instead,

Tanabe discloses a constant current resistor R1 in series with a PWM amplifier where the constant current resistor provides feedback to the PWM amplifier to determine a duty ratio for a transistor which will maintain a constant current through the LEDs. See, U.S. Pat. No. 6,870,328, Col. 5, l. 62-Col. 6, l. 27. Since the resistor disclosed in *Tanabe* is not in parallel with the current generating device and it is used to maintain a constant current in a circuit when a transistor is on and not a current effective to maintain the state of a thyristor when the transistor is off, it fails to disclose a required element of the claims.

As the Applicant's specification discloses, by providing a resistor connected in parallel with the switching device for pulse width modulation where the resistor is coupled to a pulse width modulating constant current driving circuit via a transistor such that current for maintaining the on state of a turned on thyristor flows through the resistor when the transistor is off, the state of each thyristor is maintained at all times allowing for the effective bypassing off an OPEN LED. See, U.S. Pat. Pub. No. 2006/0176411, Para. [0063].

Therefore, because *Tanabe* fails to disclose or even fairly suggest each of the features of claims 1, 4 and 6, the rejection of claims 1, 4 and 6 cannot stand.

Claims 8, 9 and 10 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Tanabe et al.* (U.S. Pat. No. 6,870,328) ("*Tanabe*"). Applicants respectfully traverse this rejection

In relevant part, each of the independent claims 8, 9 and 10 recite that each voltage divider is connected to the gate terminal of its respective thyristor and supplies a gate potential value to the thyristor such that the thyristor is turned off during normal operation of the series-connected light emitting diodes and turned on when said series-connected light emitting diodes are open-circuited.

This is clearly unlike *Tanabe* which fails to disclose or even fairly suggest each voltage divider being connected to the gate terminal of its respective thyristor and supplying a gate potential value to the thyristor such that the thyristor is turned off during normal operation of the series-connected light emitting diodes and turned on when said series-connected light emitting diodes are open-circuited. Instead, *Tanabe* discloses a voltage divider connected in parallel with a shunt resistor which is configured to suppress the voltage of the dividing circuit such that a transistor connected in parallel to the shunt resistor turns on. See, U.S. Pat. No. 6,870,328, Col. 7, l. 63 - Col. 8, l. 28.

As the Applicant's specification discloses, by providing that each voltage divider is connected to the gate terminal of its respective thyristor and supplies a gate potential value to the thyristor such that the thyristor is turned off during normal operation of the series-connected light emitting diodes and turned on when said series-connected light emitting diodes are open-circuited, current can be instantaneously bypassed around an open circuit. See, U.S. Pat. Pub. No. 2006/0176411, Para. [0062]-[0063].

Therefore, because *Tanabe* fails to disclose or even fairly suggest each of the features of claims 8, 9 and 10, the rejection of claims 8, 9, and 10 cannot stand.

III. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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By: /David R. Metzger/
David R. Metzger
Registration No. 32,919
SONNENSCHEIN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
(312) 876-8000